

Calendar No. _____

109TH CONGRESS
1ST SESSION**S. CON. RES.** _____**[Report No. 109-____]**

Setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010.

IN THE SENATE OF THE UNITED STATES

MARCH ____ (legislative day, _____), 2005

Mr. GREGG, from the Committee on the Budget, reported the following original concurrent resolution; which was placed on the calendar

CONCURRENT RESOLUTION

Setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010.

1 *Resolved by the Senate (the House of Representatives*
2 *concurring),*

3 **SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET**
4 **FOR FISCAL YEAR 2006.**

5 (a) DECLARATION.—Congress declares that this reso-
6 lution is the concurrent resolution on the budget for fiscal

1 year 2006 including the appropriate budgetary levels for
2 fiscal years 2005 and 2007 through 2010 as authorized
3 by section 301 of the Congressional Budget Act of 1974
4 (2 U.S.C. 632).

5 (b) TABLE OF CONTENTS.—The table of contents for
6 this concurrent resolution is as follows:

Sec. 1. Concurrent resolution on the budget for fiscal year 2006.

TITLE I—LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.

Sec. 102. Social Security.

Sec. 103. Major functional categories.

TITLE II—RECONCILIATION

Sec. 201. Reconciliation in the Senate.

TITLE III—RESERVE FUNDS

Sec. 301. Reserve fund for health information technology and pay-for-performance.

Sec. 302. Reserve fund for Asbestos Injury Trust Fund.

Sec. 303. Reserve fund for the uninsured.

Sec. 304. Reserve fund for Land and Water Conservation Fund.

Sec. 305. Reserve fund for the Federal Pell Grant Program.

Sec. 306. Reserve fund for Higher Education.

Sec. 307. Reserve fund for energy legislation.

Sec. 308. Reserve fund for the safe importation of prescription drugs.

Sec. 309. Adjustment for surface transportation.

TITLE IV—BUDGET ENFORCEMENT

Sec. 401. Restrictions on advance appropriations.

Sec. 402. Emergency legislation.

Sec. 403. Supermajority enforcement.

Sec. 404. Discretionary spending limits in the Senate.

Sec. 405. Application and effect of changes in allocations and aggregates.

Sec. 406. Adjustments to reflect changes in concepts and definitions.

Sec. 407. Limitation on long-term spending proposals.

Sec. 408. Exercise of rulemaking powers.

TITLE V—SENSE OF THE SENATE

Sec. 501. Sense of the Senate regarding unauthorized appropriations.

Sec. 502. Sense of the Senate regarding a commission to review the performance of programs.

Sec. 503. Sense of the Senate regarding Tricare.

Sec. 504. Sense of the Senate regarding restraining Medicaid growth.

Sec. 505. Sense of the Senate regarding tribal colleges and universities.

Sec. 506. Sense of the Senate regarding support for the President's request to concentrate Federal funds for State and local homeland security assistance programs on the highest threats, vulnerabilities, and needs.

Sec. 507. Sense of the Senate rejecting proposed elimination of per diem reimbursement to State nursing homes in the President's budget.

Sec. 508. Sense of the Senate regarding Impact Aid.

Sec. 509. Sense of the Senate regarding mandatory agricultural programs.

1 **TITLE I—LEVELS AND AMOUNTS**

2 **SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.**

3 The following budgetary levels are appropriate for the
4 fiscal years 2005 through 2010:

5 (1) FEDERAL REVENUES.—For purposes of the en-
6 forcement of this resolution—

7 (A) The recommended levels of Federal reve-
8 nues are as follows:

9 Fiscal year 2005: \$1,483,908,000,000.

10 Fiscal year 2006: \$1,592,723,000,000.

11 Fiscal year 2007: \$1,714,387,000,000.

12 Fiscal year 2008: \$1,824,619,000,000.

13 Fiscal year 2009: \$1,932,613,000,000.

14 Fiscal year 2010: \$2,051,205,000,000.

15 (B) The amounts by which the aggregate levels
16 of Federal revenues should be changed are as fol-
17 lows:

18 Fiscal year 2005: —\$116,000,000.

19 Fiscal year 2006: —\$14,939,000,000.

20 Fiscal year 2007: —\$4,884,000,000.

21 Fiscal year 2008: —\$11,566,000,000.

1 Fiscal year 2009: —\$23,602,000,000.

2 Fiscal year 2010: —\$15,163,000,000.

3 (2) NEW BUDGET AUTHORITY.—For purposes of the
4 enforcement of this resolution, the appropriate levels of
5 total new budget authority are as follows:

6 Fiscal year 2005: \$2,074,959,000,000.

7 Fiscal year 2006: \$2,134,484,000,000.

8 Fiscal year 2007: \$2,207,426,000,000.

9 Fiscal year 2008: \$2,324,416,000,000.

10 Fiscal year 2009: \$2,446,869,000,000.

11 Fiscal year 2010: \$2,543,608,000,000.

12 (3) BUDGET OUTLAYS.—For purposes of the enforce-
13 ment of this resolution, the appropriate levels of total
14 budget outlays are as follows:

15 Fiscal year 2005: \$2,055,994,000,000.

16 Fiscal year 2006: \$2,143,040,000,000.

17 Fiscal year 2007: \$2,222,311,000,000.

18 Fiscal year 2008: \$2,310,069,000,000.

19 Fiscal year 2009: \$2,412,389,000,000.

20 Fiscal year 2010: \$2,518,768,000,000.

21 (4) DEFICITS.—For purposes of the enforcement of
22 this resolution, the amounts of the deficits are as follows:

23 Fiscal year 2005: —\$572,086,000,000.

24 Fiscal year 2006: —\$550,317,000,000.

25 Fiscal year 2007: —\$507,924,000,000.

1 Fiscal year 2008: —\$485,450,000,000.

2 Fiscal year 2009: —\$479,776,000,000.

3 Fiscal year 2010: —\$467,563,000,000.

4 (5) DEBT SUBJECT TO LIMIT.—The appropriate lev-
5 els of the public debt are as follows:

6 Fiscal year 2005: \$7,961,738,000,000.

7 Fiscal year 2006: \$8,630,464,000,000.

8 Fiscal year 2007: \$9,266,253,000,000.

9 Fiscal year 2008: \$9,890,194,000,000.

10 Fiscal year 2009: \$10,511,998,000,000.

11 Fiscal year 2010: \$11,122,769,000,000.

12 (6) DEBT HELD BY THE PUBLIC.—The appropriate
13 levels of the debt held by the public are as follows:

14 Fiscal year 2005: \$4,688,918,000,000.

15 Fiscal year 2006: \$5,060,681,000,000.

16 Fiscal year 2007: \$5,372,906,000,000.

17 Fiscal year 2008: \$5,644,888,000,000.

18 Fiscal year 2009: \$5,892,763,000,000.

19 Fiscal year 2010: \$6,111,689,000,000.

20 **SEC. 102. SOCIAL SECURITY.**

21 (a) SOCIAL SECURITY REVENUES.—For purposes of
22 Senate enforcement under sections 302 and 311 of the
23 Congressional Budget Act of 1974, the amounts of reve-
24 nues of the Federal Old-Age and Survivors Insurance

1 Trust Fund and the Federal Disability Insurance Trust
2 Fund are as follows:

3 Fiscal year 2005: \$573,475,000,000.

4 Fiscal year 2006: \$604,777,000,000.

5 Fiscal year 2007: \$637,792,000,000.

6 Fiscal year 2008: \$671,688,000,000.

7 Fiscal year 2009: \$705,849,000,000.

8 Fiscal year 2010: \$740,343,000,000.

9 (b) SOCIAL SECURITY OUTLAYS.—For purposes of
10 Senate enforcement under sections 302 and 311 of the
11 Congressional Budget Act of 1974, the amounts of outlays
12 of the Federal Old-Age and Survivors Insurance Trust
13 Fund and the Federal Disability Insurance Trust Fund
14 are as follows:

15 Fiscal year 2005: \$398,088,000,000.

16 Fiscal year 2006: \$415,993,000,000.

17 Fiscal year 2007: \$429,254,000,000.

18 Fiscal year 2008: \$443,235,000,000.

19 Fiscal year 2009: \$460,443,000,000.

20 Fiscal year 2010: \$479,412,000,000.

21 (c) SOCIAL SECURITY ADMINISTRATIVE EX-
22 PENSES.—In the Senate, the amounts of new budget au-
23 thority and budget outlays of the Federal Old-Age and
24 Survivors Insurance Trust Fund and the Federal Dis-

1 ability Insurance Trust Fund for administrative expenses
2 are as follows:

3 Fiscal year 2005:

4 (A) New budget authority,
5 \$4,426,000,000.

6 (B) Outlays, \$4,405,000,000.

7 Fiscal year 2006:

8 (A) New budget authority,
9 \$4,576,000,000.

10 (B) Outlays, \$4,587,000,000.

11 Fiscal year 2007:

12 (A) New budget authority,
13 \$4,710,000,000.

14 (B) Outlays, \$4,785,000,000.

15 Fiscal year 2008:

16 (A) New budget authority,
17 \$4,853,000,000.

18 (B) Outlays, \$4,849,000,000.

19 Fiscal year 2009:

20 (A) New budget authority,
21 \$5,001,000,000.

22 (B) Outlays, \$4,974,000,000.

23 Fiscal year 2010:

24 (A) New budget authority,
25 \$5,152,000,000.

1 (B) Outlays, \$5,124,000,000.

2 **SEC. 103. MAJOR FUNCTIONAL CATEGORIES.**

3 Congress determines and declares that the appro-
4 priate levels of new budget authority and budget outlays
5 for fiscal years 2005 through 2010 for each major func-
6 tional category are:

7 (1) National Defense (050):

8 Fiscal year 2005:

9 (A) New budget authority,
10 \$498,761,000,000.

11 (B) Outlays, \$496,928,000,000.

12 Fiscal year 2006:

13 (A) New budget authority,
14 \$491,526,000,000.

15 (B) Outlays, \$496,117,000,000.

16 Fiscal year 2007:

17 (A) New budget authority,
18 \$465,260,000,000.

19 (B) Outlays, \$479,984,000,000.

20 Fiscal year 2008:

21 (A) New budget authority,
22 \$483,730,000,000.

23 (B) Outlays, \$479,730,000,000.

24 Fiscal year 2009:

9

1 (A) New budget authority,
2 \$503,763,000,000.

3 (B) Outlays, \$489,146,000,000.

4 Fiscal year 2010:

5 (A) New budget authority,
6 \$513,904,000,000.

7 (B) Outlays, \$505,872,000,000.

8 (2) International Affairs (150):

9 Fiscal year 2005:

10 (A) New budget authority,
11 \$34,707,000,000.

12 (B) Outlays, \$32,425,000,000.

13 Fiscal year 2006:

14 (A) New budget authority,
15 \$33,295,000,000.

16 (B) Outlays, \$35,737,000,000.

17 Fiscal year 2007:

18 (A) New budget authority,
19 \$36,580,000,000.

20 (B) Outlays, \$34,629,000,000.

21 Fiscal year 2008:

22 (A) New budget authority,
23 \$37,131,000,000.

24 (B) Outlays, \$33,994,000,000.

25 Fiscal year 2009:

10

1 (A) New budget authority,
2 \$37,171,000,000.

3 (B) Outlays, \$33,842,000,000.

4 Fiscal year 2010:

5 (A) New budget authority,
6 \$36,862,000,000.

7 (B) Outlays, \$33,433,000,000.

8 (3) General Science, Space, and Technology (250):

9 Fiscal year 2005:

10 (A) New budget authority,
11 \$24,413,000,000.

12 (B) Outlays, \$23,594,000,000.

13 Fiscal year 2006:

14 (A) New budget authority,
15 \$24,735,000,000.

16 (B) Outlays, \$23,894,000,000.

17 Fiscal year 2007:

18 (A) New budget authority,
19 \$25,294,000,000.

20 (B) Outlays, \$24,672,000,000.

21 Fiscal year 2008:

22 (A) New budget authority,
23 \$25,796,000,000.

24 (B) Outlays, \$25,095,000,000.

25 Fiscal year 2009:

11

1 (A) New budget authority,
2 \$26,102,000,000.

3 (B) Outlays, \$25,472,000,000.

4 Fiscal year 2010:

5 (A) New budget authority,
6 \$26,413,000,000.

7 (B) Outlays, \$25,808,000,000.

8 (4) Energy (270):

9 Fiscal year 2005:

10 (A) New budget authority,
11 \$2,564,000,000.

12 (B) Outlays, \$794,000,000.

13 Fiscal year 2006:

14 (A) New budget authority,
15 \$3,247,000,000.

16 (B) Outlays, \$2,127,000,000.

17 Fiscal year 2007:

18 (A) New budget authority,
19 \$2,859,000,000.

20 (B) Outlays, \$1,698,000,000.

21 Fiscal year 2008:

22 (A) New budget authority,
23 \$2,923,000,000.

24 (B) Outlays, \$1,035,000,000.

25 Fiscal year 2009:

12

1 (A) New budget authority,
2 \$2,534,000,000.

3 (B) Outlays, \$1,132,000,000.

4 Fiscal year 2010:

5 (A) New budget authority,
6 \$2,232,000,000.

7 (B) Outlays, \$1,022,000,000.

8 (5) Natural Resources and Environment (300):

9 Fiscal year 2005:

10 (A) New budget authority,
11 \$32,527,000,000.

12 (B) Outlays, \$31,168,000,000.

13 Fiscal year 2006:

14 (A) New budget authority,
15 \$29,875,000,000.

16 (B) Outlays, \$31,882,000,000.

17 Fiscal year 2007:

18 (A) New budget authority,
19 \$30,243,000,000.

20 (B) Outlays, \$31,426,000,000.

21 Fiscal year 2008:

22 (A) New budget authority,
23 \$30,316,000,000.

24 (B) Outlays, \$31,716,000,000.

25 Fiscal year 2009:

13

1 (A) New budget authority,
2 \$30,985,000,000.

3 (B) Outlays, \$31,921,000,000.

4 Fiscal year 2010:

5 (A) New budget authority,
6 \$30,479,000,000.

7 (B) Outlays, \$31,474,000,000.

8 (6) Agriculture (350):

9 Fiscal year 2005:

10 (A) New budget authority,
11 \$30,151,000,000.

12 (B) Outlays, \$28,550,000,000.

13 Fiscal year 2006:

14 (A) New budget authority,
15 \$29,087,000,000.

16 (B) Outlays, \$28,143,000,000.

17 Fiscal year 2007:

18 (A) New budget authority,
19 \$26,245,000,000.

20 (B) Outlays, \$25,057,000,000.

21 Fiscal year 2008:

22 (A) New budget authority,
23 \$24,492,000,000.

24 (B) Outlays, \$23,434,000,000.

25 Fiscal year 2009:

14

1 (A) New budget authority,
2 \$24,845,000,000.

3 (B) Outlays, \$23,950,000,000.

4 Fiscal year 2010:

5 (A) New budget authority,
6 \$24,584,000,000.

7 (B) Outlays, \$23,854,000,000.

8 (7) Commerce and Housing Credit (370):

9 Fiscal year 2005:

10 (A) New budget authority,
11 \$16,804,000,000.

12 (B) Outlays, \$11,302,000,000.

13 Fiscal year 2006:

14 (A) New budget authority,
15 \$10,285,000,000.

16 (B) Outlays, \$5,057,000,000.

17 Fiscal year 2007:

18 (A) New budget authority,
19 \$9,866,000,000.

20 (B) Outlays, \$4,751,000,000.

21 Fiscal year 2008:

22 (A) New budget authority,
23 \$9,815,000,000.

24 (B) Outlays, \$4,039,000,000.

25 Fiscal year 2009:

15

1 (A) New budget authority,
2 \$10,413,000,000.

3 (B) Outlays, \$4,121,000,000.

4 Fiscal year 2010:

5 (A) New budget authority,
6 \$14,270,000,000.

7 (B) Outlays, \$6,399,000,000.

8 (8) Transportation (400):

9 Fiscal year 2005:

10 (A) New budget authority,
11 \$72,506,000,000.

12 (B) Outlays, \$67,663,000,000.

13 Fiscal year 2006:

14 (A) New budget authority,
15 \$69,683,000,000.

16 (B) Outlays, \$69,789,000,000.

17 Fiscal year 2007:

18 (A) New budget authority,
19 \$71,030,000,000.

20 (B) Outlays, \$71,013,000,000.

21 Fiscal year 2008:

22 (A) New budget authority,
23 \$74,489,000,000.

24 (B) Outlays, \$72,755,000,000.

25 Fiscal year 2009:

16

1 (A) New budget authority,
2 \$81,524,000,000.

3 (B) Outlays, \$75,693,000,000.

4 Fiscal year 2010:

5 (A) New budget authority,
6 \$82,867,000,000.

7 (B) Outlays, \$79,335,000,000.

8 (9) Community and Regional Development (450):

9 Fiscal year 2005:

10 (A) New budget authority,
11 \$23,007,000,000.

12 (B) Outlays, \$20,756,000,000.

13 Fiscal year 2006:

14 (A) New budget authority,
15 \$13,039,000,000.

16 (B) Outlays, \$18,294,000,000.

17 Fiscal year 2007:

18 (A) New budget authority,
19 \$13,118,000,000.

20 (B) Outlays, \$16,697,000,000.

21 Fiscal year 2008:

22 (A) New budget authority,
23 \$13,272,000,000.

24 (B) Outlays, \$14,715,000,000.

25 Fiscal year 2009:

17

1 (A) New budget authority,
2 \$13,410,000,000.

3 (B) Outlays, \$13,473,000,000.

4 Fiscal year 2010:

5 (A) New budget authority,
6 \$13,430,000,000.

7 (B) Outlays, \$13,125,000,000.

8 (10) Education, Training, Employment, and Social
9 Services (500):

10 Fiscal year 2005:

11 (A) New budget authority,
12 \$94,026,000,000.

13 (B) Outlays, \$92,805,000,000.

14 Fiscal year 2006:

15 (A) New budget authority,
16 \$91,850,000,000.

17 (B) Outlays, \$86,913,000,000.

18 Fiscal year 2007:

19 (A) New budget authority,
20 \$89,904,000,000.

21 (B) Outlays, \$90,016,000,000.

22 Fiscal year 2008:

23 (A) New budget authority,
24 \$90,585,000,000.

25 (B) Outlays, \$89,230,000,000.

18

1 Fiscal year 2009:

2 (A) New budget authority,

3 \$90,737,000,000.

4 (B) Outlays, \$88,938,000,000.

5 Fiscal year 2010:

6 (A) New budget authority,

7 \$90,329,000,000.

8 (B) Outlays, \$88,624,000,000.

9 (11) Health (550):

10 Fiscal year 2005:

11 (A) New budget authority,

12 \$257,498,000,000.

13 (B) Outlays, \$252,799,000,000.

14 Fiscal year 2006:

15 (A) New budget authority,

16 \$260,542,000,000.

17 (B) Outlays, \$260,904,000,000.

18 Fiscal year 2007:

19 (A) New budget authority,

20 \$273,232,000,000.

21 (B) Outlays, \$272,660,000,000.

22 Fiscal year 2008:

23 (A) New budget authority,

24 \$292,063,000,000.

25 (B) Outlays, \$290,672,000,000.

19

1 Fiscal year 2009:

2 (A) New budget authority,
3 \$313,844,000,000.

4 (B) Outlays, \$310,304,000,000.

5 Fiscal year 2010:

6 (A) New budget authority,
7 \$332,926,000,000.

8 (B) Outlays, \$331,961,000,000.

9 (12) Medicare (570):

10 Fiscal year 2005:

11 (A) New budget authority,
12 \$292,587,000,000.

13 (B) Outlays, \$293,587,000,000.

14 Fiscal year 2006:

15 (A) New budget authority,
16 \$331,240,000,000.

17 (B) Outlays, \$331,003,000,000.

18 Fiscal year 2007:

19 (A) New budget authority,
20 \$371,899,000,000.

21 (B) Outlays, \$372,186,000,000.

22 Fiscal year 2008:

23 (A) New budget authority,
24 \$395,362,000,000.

25 (B) Outlays, \$395,408,000,000.

20

1 Fiscal year 2009:

2 (A) New budget authority,

3 \$420,284,000,000.

4 (B) Outlays, \$419,877,000,000.

5 Fiscal year 2010:

6 (A) New budget authority,

7 \$448,161,000,000.

8 (B) Outlays, \$448,492,000,000.

9 (13) Income Security (600):

10 Fiscal year 2005:

11 (A) New budget authority,

12 \$339,651,000,000.

13 (B) Outlays, \$347,850,000,000.

14 Fiscal year 2006:

15 (A) New budget authority,

16 \$347,395,000,000.

17 (B) Outlays, \$353,429,000,000.

18 Fiscal year 2007:

19 (A) New budget authority,

20 \$352,633,000,000.

21 (B) Outlays, \$358,674,000,000.

22 Fiscal year 2008:

23 (A) New budget authority,

24 \$365,775,000,000.

25 (B) Outlays, \$370,107,000,000.

21

1 Fiscal year 2009:

2 (A) New budget authority,
3 \$374,946,000,000.

4 (B) Outlays, \$377,951,000,000.

5 Fiscal year 2010:

6 (A) New budget authority,
7 \$384,137,000,000.

8 (B) Outlays, \$386,269,000,000.

9 (14) Social Security (650):

10 Fiscal year 2005:

11 (A) New budget authority,
12 \$15,849,000,000.

13 (B) Outlays, \$15,849,000,000.

14 Fiscal year 2006:

15 (A) New budget authority,
16 \$15,991,000,000.

17 (B) Outlays, \$15,991,000,000.

18 Fiscal year 2007:

19 (A) New budget authority,
20 \$17,804,000,000.

21 (B) Outlays, \$17,804,000,000.

22 Fiscal year 2008:

23 (A) New budget authority,
24 \$19,868,000,000.

25 (B) Outlays, \$19,868,000,000.

1 Fiscal year 2009:

2 (A) New budget authority,
3 \$21,843,000,000.

4 (B) Outlays, \$21,843,000,000.

5 Fiscal year 2010:

6 (A) New budget authority,
7 \$24,129,000,000.

8 (B) Outlays, \$24,129,000,000.

9 (15) Veterans Benefits and Services (700):

10 Fiscal year 2005:

11 (A) New budget authority,
12 \$69,448,000,000.

13 (B) Outlays, \$68,873,000,000.

14 Fiscal year 2006:

15 (A) New budget authority,
16 \$68,584,000,000.

17 (B) Outlays, \$67,996,000,000.

18 Fiscal year 2007:

19 (A) New budget authority,
20 \$66,181,000,000.

21 (B) Outlays, \$65,894,000,000.

22 Fiscal year 2008:

23 (A) New budget authority,
24 \$69,458,000,000.

25 (B) Outlays, \$69,255,000,000.

1 Fiscal year 2009:

2 (A) New budget authority,

3 \$69,971,000,000.

4 (B) Outlays, \$69,680,000,000.

5 Fiscal year 2010:

6 (A) New budget authority,

7 \$70,069,000,000.

8 (B) Outlays, \$69,794,000,000.

9 (16) Administration of Justice (750):

10 Fiscal year 2005:

11 (A) New budget authority,

12 \$39,819,000,000.

13 (B) Outlays, \$39,502,000,000.

14 Fiscal year 2006:

15 (A) New budget authority,

16 \$40,975,000,000.

17 (B) Outlays, \$42,390,000,000.

18 Fiscal year 2007:

19 (A) New budget authority,

20 \$41,719,000,000.

21 (B) Outlays, \$42,742,000,000.

22 Fiscal year 2008:

23 (A) New budget authority,

24 \$42,575,000,000.

25 (B) Outlays, \$43,122,000,000.

1 Fiscal year 2009:

2 (A) New budget authority,

3 \$43,146,000,000.

4 (B) Outlays, \$43,297,000,000.

5 Fiscal year 2010:

6 (A) New budget authority,

7 \$43,404,000,000.

8 (B) Outlays, \$43,338,000,000.

9 (17) General Government (800):

10 Fiscal year 2005:

11 (A) New budget authority,

12 \$16,765,000,000.

13 (B) Outlays, \$17,673,000,000.

14 Fiscal year 2006:

15 (A) New budget authority,

16 \$18,154,000,000.

17 (B) Outlays, \$18,429,000,000.

18 Fiscal year 2007:

19 (A) New budget authority,

20 \$18,204,000,000.

21 (B) Outlays, \$18,178,000,000.

22 Fiscal year 2008:

23 (A) New budget authority,

24 \$19,883,000,000.

25 (B) Outlays, \$19,823,000,000.

1 Fiscal year 2009:

2 (A) New budget authority,

3 \$17,902,000,000.

4 (B) Outlays, \$17,675,000,000.

5 Fiscal year 2010:

6 (A) New budget authority,

7 \$18,222,000,000.

8 (B) Outlays, \$18,024,000,000.

9 (18) Net Interest (900):

10 Fiscal year 2005:

11 (A) New budget authority,

12 \$267,980,000,000.

13 (B) Outlays, \$267,980,000,000.

14 Fiscal year 2006:

15 (A) New budget authority,

16 \$310,307,000,000.

17 (B) Outlays, \$310,307,000,000.

18 Fiscal year 2007:

19 (A) New budget authority,

20 \$359,168,000,000.

21 (B) Outlays, \$359,168,000,000.

22 Fiscal year 2008:

23 (A) New budget authority,

24 \$396,713,000,000.

25 (B) Outlays, \$396,713,000,000.

1 Fiscal year 2009:

2 (A) New budget authority,
3 \$426,107,000,000.

4 (B) Outlays, \$426,107,000,000.

5 Fiscal year 2010:

6 (A) New budget authority,
7 \$453,387,000,000.

8 (B) Outlays, \$453,387,000,000.

9 (19) Allowances (920):

10 Fiscal year 2005:

11 (A) New budget authority, \$0

12 (B) Outlays, \$0

13 Fiscal year 2006:

14 (A) New budget authority, \$0

15 (B) Outlays, \$0

16 Fiscal year 2007:

17 (A) New budget authority, \$0

18 (B) Outlays, \$0

19 Fiscal year 2008:

20 (A) New budget authority, \$0

21 (B) Outlays, \$0

22 Fiscal year 2009:

23 (A) New budget authority, \$0

24 (B) Outlays, \$0

25 Fiscal year 2010:

1 (A) New budget authority, \$0

2 (B) Outlays, \$0

3 (20) Undistributed Offsetting Receipts (950):

4 Fiscal year 2005:

5 (A) New budget authority,

6 – \$54,104,000,000.

7 (B) Outlays, – \$54,104,000,000.

8 Fiscal year 2006:

9 (A) New budget authority,

10 – \$55,362,000,000.

11 (B) Outlays, – \$55,362,000,000.

12 Fiscal year 2007:

13 (A) New budget authority,

14 – \$63,813,000,000.

15 (B) Outlays, – \$64,938,000,000.

16 Fiscal year 2008:

17 (A) New budget authority,

18 – \$69,830,000,000.

19 (B) Outlays, – \$70,642,000,000.

20 Fiscal year 2009:

21 (A) New budget authority,

22 – \$62,658,000,000.

23 (B) Outlays, – \$62,033,000,000.

24 Fiscal year 2010:

28

1 (A) New budget authority,

2 − \$66,197,000,000.

3 (B) Outlays, − \$65,572,000,000.

1 **TITLE II—RECONCILIATION**

2 **SEC. 201. RECONCILIATION IN THE SENATE.**

3 (a) SPENDING RECONCILIATION INSTRUCTIONS.—In
4 the Senate, by June 6, 2005, the committees named in
5 this section shall submit their recommendations to the
6 Committee on the Budget of the Senate. After receiving
7 those recommendations, the Committee on the Budget
8 shall report to the Senate a reconciliation bill carrying out
9 all such recommendations without any substantive revision.
10

11 (1) COMMITTEE ON AGRICULTURE, NUTRITION,
12 AND FORESTRY.—The Senate Committee on Agriculture,
13 Nutrition, and Forestry shall report changes
14 in laws within its jurisdiction sufficient to reduce
15 outlays by \$171,000,000 in fiscal year 2006, and
16 \$2,814,000,000 for the period of fiscal years 2006
17 through 2010.

18 (2) COMMITTEE ON BANKING, HOUSING, AND
19 URBAN AFFAIRS.—The Senate Committee on Banking,
20 Housing, and Urban Affairs shall report
21 changes in laws within its jurisdiction sufficient to
22 reduce outlays by \$30,000,000 in fiscal year 2006,
23 and \$270,000,000 for the period of fiscal years 2006
24 through 2010.

1 (3) COMMITTEE ON COMMERCE, SCIENCE, AND
2 TRANSPORTATION.—The Senate Committee on Com-
3 merce, Science, and Transportation shall report
4 changes in laws within its jurisdiction sufficient to
5 reduce outlays by \$8,000,000 in fiscal year 2006,
6 and \$2,576,000,000 for the period of fiscal years
7 2006 through 2010.

8 (4) COMMITTEE ON ENERGY AND NATURAL RE-
9 SOURCES.—The Senate Committee on Energy and
10 Natural Resources shall report changes in laws with-
11 in its jurisdiction sufficient to reduce outlays by
12 \$33,000,000 in fiscal year 2006, and
13 \$2,658,000,000 for the period of fiscal years 2006
14 through 2010.

15 (5) COMMITTEE ON ENVIRONMENT AND PUBLIC
16 WORKS.—The Senate Committee on Environment
17 and Public Works shall report changes in laws with-
18 in its jurisdiction sufficient to reduce outlays by
19 \$14,000,000 in fiscal year 2006, and \$112,000,000
20 for the period of fiscal years 2006 through 2010.

21 (6) COMMITTEE ON FINANCE.—The Senate
22 Committee on Finance shall report changes in laws
23 within its jurisdiction sufficient to reduce outlays by
24 \$1,784,000,000 in fiscal year 2006, and

1 \$15,036,000,000 for the period of fiscal years 2006
2 through 2010.

3 (7) COMMITTEE ON HEALTH, EDUCATION,
4 LABOR, AND PENSIONS.—The Senate Committee on
5 Health, Education, Labor, and Pensions shall report
6 changes in laws within its jurisdiction sufficient to
7 reduce outlays by \$2,204,000,000 in fiscal years
8 2005 and 2006, and \$8,576,000,000 for the period
9 of fiscal years 2005 through 2010.

10 (b) REVENUE RECONCILIATION INSTRUCTIONS.—
11 The Senate Committee on Finance shall report to the Sen-
12 ate a reconciliation bill not later than September 7, 2005
13 that consists of changes in laws within its jurisdiction suf-
14 ficient to reduce the total level of revenues by not more
15 than: \$14,939,000,000 for fiscal year 2006, and
16 \$70,154,000 for the period of fiscal years 2006 through
17 2010.

18 (c) INCREASE IN STATUTORY DEBT LIMIT.—The
19 Committee on Finance shall report to the Senate a rec-
20 onciliation bill not later than September 16, 2005, that
21 consists solely of changes in laws within its jurisdiction
22 to increase the statutory debt limit by \$446,464,000,000.

1 **TITLE III—RESERVE FUNDS**

2 **SEC. 301. RESERVE FUND FOR HEALTH INFORMATION**

3 **TECHNOLOGY AND PAY-FOR-PERFORMANCE.**

4 In the Senate, if the Committee on Finance or the
5 Committee on Health, Education, Labor, and Pensions re-
6 ports a bill or joint resolution, if an amendment is offered
7 thereto, or if a conference report is submitted thereon,
8 that—

9 (1) provides incentives or other support for
10 adoption of modern information technology to im-
11 prove quality in health care; and

12 (2) provides for performance-based payments
13 that are based on accepted clinical performance
14 measures that improve the quality in healthcare,

15 provided that the committee is within its allocation as pro-
16 vided under section 302(a) of the Congressional Budget
17 Act of 1974, the chairman of the Committee on the Budg-
18 et may revise allocations of new budget authority and out-
19 lays, the revenue aggregates, and other appropriate meas-
20 ures to reflect such legislation provided that such legisla-
21 tion would not increase the deficit for the period of fiscal
22 years 2006 through 2010.

1 **SEC. 302. RESERVE FUND FOR ASBESTOS INJURY TRUST**
2 **FUND.**

3 In the Senate, if the Committee on the Judiciary re-
4 ports legislation, if an amendment is offered thereto, or
5 if a conference report is submitted thereon, that—

6 (1) compensates injured victims of asbestos-re-
7 lated disease;

8 (2) does not compensate uninjured claimants or
9 those suffering from a disease not shown to be as-
10 bestos-related disease;

11 (3) requires strict medical criteria; and

12 (4) is reasonably expected to remain funded
13 from non-Federal sources for the 50-year life of the
14 fund,

15 provided that the committee is within its allocation as pro-
16 vided under section 302(a) of the Congressional Budget
17 Act of 1974, the chairman of the Budget Committee may
18 make the appropriate adjustments in allocations and ag-
19 gregates to the extent that such legislation would not in-
20 crease the deficit for the period of fiscal years 2006
21 through 2056.

22 **SEC. 303. RESERVE FUND FOR THE UNINSURED.**

23 In the Senate, if the Committee on Finance or the
24 Committee on Health, Education, Labor, and Pensions of
25 the Senate reports a bill or joint resolution, if an amend-

1 ment is offered thereto, or if a conference report is sub-
2 mitted thereon, that—

3 (1) addresses health care costs, coverage, or
4 care for the uninsured;

5 (2)(A) provides safety net access to integrated
6 and other health care services; or

7 (B) increases the number of people with health
8 insurance, provided that such increase is not ob-
9 tained primarily as a result of increasing premiums
10 for the currently insured; and

11 (3) increases access to coverage through mecha-
12 nisms that decrease the growth of health care costs,
13 and may include tax- and market-based measures
14 (such as tax credits, deductibility, regulatory re-
15 forms, consumer-directed initiatives, and other meas-
16 ures targeted to key segments of the uninsured, such
17 as individuals without employer-sponsored coverage
18 and college students and recent graduates),

19 provided that the committee is within its allocation as pro-
20 vided under section 302(a) of the Congressional Budget
21 Act of 1974, the chairman of the Committee on the Budg-
22 et may revise allocations of new budget authority and out-
23 lays, the revenue aggregates, and other appropriate aggre-
24 gates to reflect such legislation, to the extent that such
25 legislation would not increase the deficit for fiscal year

1 2006 and for the period of fiscal years 2006 through
2 2010.

3 **SEC. 304. RESERVE FUND FOR LAND AND WATER CON-**
4 **SERVATION FUND.**

5 (a) IN THE SENATE.—If—

6 (1) the Committee on Energy and Natural Re-
7 sources reports a bill or joint resolution, or an
8 amendment is offered thereto, or a conference report
9 is submitted thereon, that permits exploration and
10 production of oil in the 1002 Area of the Arctic Na-
11 tional Wildlife Refuge, and such measure is enacted;
12 and

13 (2) the reconciliation instruction set out in sec-
14 tion 201(a)(4) is met,

15 provided that the committee is within its allocation as pro-
16 vided under section 302(a) of the Congressional Budget
17 Act of 1974, the chairman of the Committee on the Budg-
18 et of the Senate may make the adjustments described in
19 subsection (b).

20 (b) ADJUSTMENT FOR THE LAND AND WATER CON-
21 SERVATION FUND PROGRAMS AND ADDITIONAL LAND
22 CONSERVATION PROGRAMS.—If the Committee on Appro-
23 priations of the Senate reports a bill or joint resolution,
24 or if an amendment is offered thereto or a conference re-
25 port is submitted thereon that provides funding for the

1 programs described in this subsection at least at the pre-
2 vious year's levels, adjusted for inflation, and makes avail-
3 able a portion of the receipts resulting from enactment
4 of the legislation described in subsection (a) for the Land
5 and Water Conservation Fund, Federal Land Acquisition
6 and Stateside Grant Programs, and for the Coastal and
7 Estuarine Land Protection Program, and for the Forest
8 Legacy Program, the chairman of the Committee on the
9 Budget may revise committee allocations for that com-
10 mittee and other appropriate budgetary aggregates and al-
11 locations of new budget authority and outlays by the
12 amount provided by that measure for that purpose, but
13 the adjustment may not exceed \$350,000,000 in new
14 budget authority in each of fiscal years 2008 through
15 2010.

16 **SEC. 305. RESERVE FUND FOR THE FEDERAL PELL GRANT**
17 **PROGRAM.**

18 In the Senate, if the Committee on Health, Edu-
19 cation, Labor, and Pensions reports a bill or joint resolu-
20 tion, or an amendment is offered thereto or a conference
21 report is submitted thereon, that provides a provision that
22 eliminates the accumulated shortfall of budget authority
23 resulting from insufficient appropriations of discretionary
24 new budget authority previously enacted for the Federal
25 Pell Grant Program for awards made through the award

1 year 2005–2006, provided that the committee is within its
2 allocation as provided under section 302(a) of the Con-
3 gressional Budget Act of 1974, the chairman of the Com-
4 mittee on the Budget may revise the committee allocation
5 and other appropriate budgetary aggregates by the
6 amount provided by that measure for that purpose, but
7 not to exceed \$4,300,000,000 in new budget authority for
8 the fiscal year 2006.

9 **SEC. 306. RESERVE FUND FOR HIGHER EDUCATION.**

10 In the Senate, if the Committee on Health, Edu-
11 cation, Labor, and Pensions reports a bill or joint resolu-
12 tion, or an amendment is offered thereto or a conference
13 report is submitted thereon, that reauthorizes the Higher
14 Education Act of 1965, provided that the committee is
15 within its allocation as provided under section 302(a) of
16 the Congressional Budget Act of 1974, the chairman of
17 the Committee on the Budget may revise committee allo-
18 cations for that committee and other appropriate budg-
19 etary aggregates and allocations of new budget authority
20 and outlays by the amount provided by that measure for
21 that purpose, but not to exceed \$740,000,000 in new
22 budget authority and \$676,000,000 in outlays for fiscal
23 year 2006, and \$5,510,000,000 in new budget authority
24 and \$5,006,000,000 in outlays for the period of fiscal
25 years 2006 through 2010.

1 **SEC. 307. RESERVE FUND FOR ENERGY LEGISLATION.**

2 In the Senate, if a bill or joint resolution, or an
3 amendment is offered thereto or a conference report is
4 submitted thereon, within the jurisdiction of the Com-
5 mittee on Energy and Natural Resources, that—

6 (1) provides for a national energy policy; and

7 (2) in conjunction with revenue legislation that
8 does not reduce net revenues by more than
9 \$803,000,000 in 2006 and \$4,557,000,000 for the
10 period of fiscal years 2006 through 2010,

11 provided that the committee is within its allocation as pro-
12 vided under section 302(a) of the Congressional Budget
13 Act of 1974, the chairman of the Committee on the Budg-
14 et may revise committee allocations for that committee
15 and other appropriate budgetary aggregates and alloca-
16 tions of new budget authority and outlays by the amount
17 provided by that measure for that purpose, but not to ex-
18 ceed \$100,000,000 in new budget authority for fiscal year
19 2006 and the outlays flowing from that budget authority
20 and \$2,000,000,000 in new budget authority for the pe-
21 riod of fiscal years 2006 through 2010 and the outlays
22 flowing from that budget authority.

23 **SEC. 308. RESERVE FUND FOR THE SAFE IMPORTATION OF**
24 **PRESCRIPTION DRUGS.**

25 In the Senate, if the Committee on Health, Edu-
26 cation, Labor, and Pensions reports a bill or joint resolu-

1 tion or an amendment is offered thereto or a conference
2 report is submitted thereon, that permits the safe importa-
3 tion of prescription drugs approved by the Food and Drug
4 Administration from specified countries with strong safety
5 laws, and provided that the committee is within its alloca-
6 tion as provided under section 302(a) of the Congressional
7 Budget Act of 1974, the chairman of the Committee on
8 the Budget may revise allocations of new budget authority
9 and outlays, revenue aggregates, and other appropriate
10 measures to reflect such legislation if any such measure
11 would not increase the deficit for fiscal year 2006 and for
12 the period of fiscal years 2006 through 2010.

13 **SEC. 309. ADJUSTMENT FOR SURFACE TRANSPORTATION.**

14 (a) IN GENERAL.—In the Senate, if the Committee
15 on Environment and Public Works, the Committee on
16 Banking, Housing, and Urban Affairs, or the Committee
17 on Commerce, Science, and Transportation reports a bill
18 or joint resolution, or an amendment is offered thereto or
19 a conference report is submitted thereon that provides new
20 budget authority for the budget accounts or portions
21 thereof, for programs, projects, and activities for high-
22 ways, highway safety, and transit, in excess of—

23 (1) for fiscal year 2005, \$42,606,000,000; or

24 (2) for fiscal year 2006, \$43,131,000,000; or

1 (3) for fiscal years 2005 through 2009,
2 \$231,088,000,000;
3 the chairman of the Committee on the Budget may make
4 the appropriate adjustments in allocations and aggre-
5 gates) and increase the allocation of new budget authority
6 to such committees for fiscal year 2005 and 2006 and for
7 the period of fiscal years 2005 through 2009 to the extent
8 such adjustment is offset by an increase in net new user-
9 fee receipts related to the purposes of the highway trust
10 fund that are appropriated to such fund for the applicable
11 fiscal year caused by such legislation. In the Senate, any
12 increase in receipts shall be reported by the Committee
13 on Finance.

14 (b) ADJUSTMENT FOR OUTLAYS.—In the Senate, for
15 fiscal year 2006, and, as necessary, in subsequent fiscal
16 years, if a bill or joint resolution is reported, or if an
17 amendment is offered thereto or a conference report is
18 submitted thereon that changes obligation limitations such
19 that the total limitations are in excess of \$42,686,000,000
20 for fiscal year 2006, for programs, projects, and activities
21 for highways, highway safety, and transit, and if legisla-
22 tion has been enacted that satisfies the conditions set
23 forth in subsection (a) for such fiscal year, the chairman
24 of the Committee on the Budget may increase the alloca-
25 tion of outlays and appropriate aggregates for such fiscal

1 year, and, as necessary, in subsequent fiscal years, for the
2 committees reporting such measures, by the amount of
3 outlays that corresponds to such excess obligation limita-
4 tions, but not to exceed the amount of such excess that
5 was offset in 2006 pursuant to subsection (a). After the
6 adjustment has been made, the Senate Committee on Ap-
7 propriations shall report new section 302(b) allocations
8 consistent with this section.

9 **TITLE IV—BUDGET**
10 **ENFORCEMENT**

11 **SEC. 401. RESTRICTIONS ON ADVANCE APPROPRIATIONS.**

12 (a) IN GENERAL.—Except as provided in subsection
13 (b), it shall not be in order in the Senate to consider any
14 bill, joint resolution, motion, amendment, or conference re-
15 port that would provide an advance appropriation.

16 (b) EXCEPTIONS.—An advance appropriation may be
17 provided for the fiscal years 2007 and 2008 for programs,
18 projects, activities, or accounts identified in the joint ex-
19 planatory statement of managers accompanying this reso-
20 lution under the heading “Accounts Identified for Advance
21 Appropriations” in an aggregate amount not to exceed
22 \$23,393,000,000 in new budget authority in each year.

23 (c) DISPOSITION.—

24 (1) IN GENERAL.—In the Senate, subsection (a)
25 may be waived or suspended only by an affirmative

1 vote of three-fifths of the Members, duly chosen and
2 sworn. An affirmative vote of three-fifths of the
3 Members of the Senate, duly chosen and sworn, shall
4 be required to sustain an appeal of the ruling of the
5 Chair on a point of order raised under subsection
6 (a).

7 (2) PROCEDURE.—A point of order under sub-
8 section (a) may be raised by a Senator as provided
9 in section 313(e) of the Congressional Budget Act of
10 1974.

11 (3) DISPOSITION.—If a point of order is sus-
12 tained under subsection (a) against a conference re-
13 port in the Senate, the report shall be disposed of
14 as provided in section 313(d) of the Congressional
15 Budget Act of 1974.

16 (d) DEFINITION.—In this section, the term “advance
17 appropriation” means any discretionary new budget au-
18 thority, or any changes in mandatory programs that count
19 against discretionary spending limits, in a bill or joint res-
20 olution making general appropriations or continuing ap-
21 propriations for fiscal year 2006 that first becomes avail-
22 able for any fiscal year after 2006, or making general ap-
23 propriations or continuing appropriations for fiscal year
24 2007 that first becomes available for any fiscal year after
25 2007.

1 **SEC. 402. EMERGENCY LEGISLATION.**

2 (a) PURPOSE.—It is the purpose of this section, in
3 the absence of an extension of the discretionary spending
4 limits and paygo requirements under the Balanced Budget
5 and Emergency Deficit Control Act of 1985, to enable
6 Congress to designate provisions of legislation as an emer-
7 gency in order to exempt such measures from enforcement
8 of this resolution with respect to the new budget authority,
9 outlays, and receipts resulting from such provisions.

10 (b) IN THE SENATE.—

11 (1) AUTHORITY TO DESIGNATE.—With respect
12 to a provision of direct spending or receipts legisla-
13 tion or appropriations for discretionary accounts
14 that the President designates as an emergency re-
15 quirement and that Congress so designates in such
16 measure, the amounts of new budget authority, out-
17 lays, and receipts in all fiscal years resulting from
18 that provision shall be treated as an emergency re-
19 quirement for the purpose of this section.

20 (2) EXEMPTION OF EMERGENCY PROVISIONS.—

21 Any new budget authority, outlays, and receipts re-
22 sulting from any provision designated as an emer-
23 gency requirement, pursuant to this section, in any
24 bill, joint resolution, amendment, or conference re-
25 port shall not count for purposes of sections 302,
26 303, 311, and 401 of the Congressional Budget Act

1 of 1974 and section 404 of this resolution (relating
2 to discretionary spending limits in the Senate) and
3 section 505 of the Concurrent Resolution on the
4 Budget for Fiscal Year 2004 H. Con. Res. 95 (relat-
5 ing to the paygo requirement in the Senate).

6 (3) DESIGNATIONS.—

7 (A) GUIDANCE.—If a provision of legisla-
8 tion is designated as an emergency requirement
9 under this section, the committee report and
10 any statement of managers accompanying that
11 legislation shall include an explanation of the
12 manner in which the provision meets the cri-
13 teria in subparagraph (B).

14 (B) CRITERIA.—

15 (i) IN GENERAL.—Any such provision
16 is an emergency requirement if the situa-
17 tion addressed by such provision is—

18 (I) necessary, essential, or vital

19 (not merely useful or beneficial);

20 (II) sudden, quickly coming into
21 being, and not building up over time;

22 (III) an urgent, pressing, and
23 compelling need requiring immediate
24 action;

1 (IV) subject to clause (ii), un-
2 foreseen, unpredictable, and unantici-
3 pated; and

4 (V) not permanent, temporary in
5 nature.

6 (ii) UNFORESEEN.—An emergency
7 that is part of an aggregate level of antici-
8 pated emergencies, particularly when nor-
9 mally estimated in advance, is not unfore-
10 seen.

11 (4) DEFINITIONS.—In this subsection, the
12 terms “direct spending”, “receipts”, and “appropria-
13 tions for discretionary accounts” means any provi-
14 sion of a bill, joint resolution, amendment, motion,
15 or conference report that affects direct spending, re-
16 ceipts, or appropriations as those terms have been
17 defined and interpreted for purposes of the Balanced
18 Budget and Emergency Deficit Control Act of 1985.

19 (5) POINT OF ORDER.—When the Senate is
20 considering a bill, resolution, amendment, motion, or
21 conference report, if a point of order is made by a
22 Senator against an emergency designation in that
23 measure, that provision making such a designation
24 shall be stricken from the measure and may not be
25 offered as an amendment from the floor.

1 (6) WAIVER AND APPEAL.—Paragraph (5) may
2 be waived or suspended in the Senate only by an af-
3 firmative vote of three-fifths of the Members, duly
4 chosen and sworn. Appeals in the Senate from the
5 decisions of the Chair relating to any provision of
6 this subsection shall be limited to 1 hour, to be
7 equally divided between, and controlled by, the ap-
8 pellant and the manager of the bill or joint resolu-
9 tion, as the case may be. An affirmative vote of
10 three-fifths of the Members of the Senate, duly cho-
11 sen and sworn, shall be required to sustain an ap-
12 peal of the ruling of the Chair on a point of order
13 raised under this section.

14 (7) DEFINITION OF AN EMERGENCY DESIGNA-
15 TION.—For purposes of paragraph (5), a provision
16 shall be considered an emergency designation if it
17 designates any item as an emergency requirement
18 pursuant to this section.

19 (8) FORM OF THE POINT OF ORDER.—A point
20 of order under paragraph (5) may be raised by a
21 Senator as provided in section 313(e) of the Con-
22 gressional Budget Act of 1974.

23 (9) CONFERENCE REPORTS.—If a point of
24 order is sustained under paragraph (5) against a
25 conference report, the report shall be disposed of as

1 provided in section 313(d) of the Congressional
2 Budget Act of 1974.

3 (10) EXCEPTION FOR DEFENSE SPENDING.—
4 Paragraph (5) shall not apply against an emergency
5 designation for a provision making discretionary ap-
6 propriations under the defense function (050).

7 (c) EXEMPTION OF OVERSEAS CONTINGENT OPER-
8 ATIONS.—

9 (1) IN GENERAL.—In the Senate, if a bill, joint
10 resolution, amendment, or a conference report
11 makes supplemental appropriations for fiscal year
12 2006 for overseas contingency operations related to
13 the global war on terrorism, then the new budget
14 authority, new entitlement authority, and outlays re-
15 sulting from the provisions of such measure that are
16 designated pursuant to this section as making ap-
17 propriations for such contingency operations—

18 (A) shall not count for purposes of sections
19 302, 303, and 401 of the Congressional Budget
20 Act of 1974; and

21 (B) shall not count for the purpose of sec-
22 tion 404 of this resolution (relating to discre-
23 tionary spending limits in the Senate) and sec-
24 tion 505 of the Concurrent Resolution on the

1 Budget for Fiscal Year 2004 H. Con. Res. 95
2 (relating to the pay-go requirement).

3 (2) LIMITATION.—The amounts that are not
4 counted for purposes of this section shall not exceed
5 \$50,000,000,000 in new budget authority and out-
6 lays associated with the budget authority.

7 **SEC. 403. SUPERMAJORITY ENFORCEMENT.**

8 (a) EXTENSION.—Notwithstanding any provision of
9 the Congressional Budget Act of 1974, subsections (c)(2)
10 and (d)(3) of section 904 of the Congressional Budget Act
11 of 1974 shall remain in effect for purposes of Senate en-
12 forcement through September 30, 2010.

13 (b) UNFUNDED MANDATES.—

14 (1) IN GENERAL.—Section 425(a) (1) and (2)
15 of the Congressional Budget Act of 1974 shall be
16 subject to the waiver and appeal requirements of
17 subsection (c)(2) and (d)(3) of section 904 of the
18 Congressional Budget Act of 1974.

19 (2) EFFECTIVE DATE.—This subsection shall
20 remain in effect for purposes of Senate enforcement
21 through September 30, 2010.

1 **SEC. 404. DISCRETIONARY SPENDING LIMITS IN THE SEN-**
2 **ATE.**

3 (a) DISCRETIONARY SPENDING LIMITS.—In the Sen-
4 ate and as used in this section, the term “discretionary
5 spending limit” means—

6 (1) for fiscal year 2006, \$842,682,000,000 in
7 new budget authority and \$915,690,000,000 in out-
8 lays for the discretionary category;

9 (2) for fiscal year 2007, \$868,473,000,000 in
10 new budget authority for the discretionary category;
11 and

12 (3) for fiscal year 2008, \$891,445,000,000 in
13 new budget authority for the discretionary category;
14 as adjusted in conformance with the adjustment proce-
15 dures in subsection (d).

16 (b) ADJUSTMENTS TO DISCRETIONARY SPENDING
17 LIMITS.—

18 (1) CONTINUING DISABILITY REVIEWS.—If a
19 bill or joint resolution is reported making appropria-
20 tions for fiscal year 2006 that appropriates
21 \$412,000,000 for continuing disability reviews for
22 the Social Security Administration, and provides an
23 additional appropriation of \$189,000,000 for con-
24 tinuing disability reviews for the Social Security Ad-
25 ministration, then the allocation to the Senate Com-
26 mittee on Appropriations shall be increased by

1 \$189,000,000 in budget authority and outlays flow-
2 ing from the budget authority for fiscal year 2006.

3 (2) INTERNAL REVENUE SERVICE TAX EN-
4 FORCEMENT.—If a bill or joint resolution is reported
5 making appropriations for fiscal year 2006 that ap-
6 propriates \$6,447,000,000 for enhanced tax enforce-
7 ment to address the “Federal tax gap” for the Inter-
8 nal Revenue Service, and provides an additional ap-
9 propriation of \$446,000,000 for enhanced tax en-
10 forcement to address the “Federal tax gap” for the
11 Internal Revenue Service, then the allocation to the
12 Senate Committee on Appropriations shall be in-
13 creased by \$446,000,000 in budget authority and
14 outlays flowing from the budget authority for fiscal
15 year 2006.

16 (3) HEALTH CARE FRAUD AND ABUSE CONTROL
17 PROGRAM.—If a bill or joint resolution is reported
18 making appropriations for fiscal year 2006 that ap-
19 propriates \$80,000,000 to the health care fraud and
20 abuse control program at the Department of Health
21 and Human Services, then the allocation to the Sen-
22 ate Committee on Appropriations shall be increased
23 by \$80,000,000 in budget authority and outlays
24 flowing from the budget authority for fiscal year
25 2006.

1 (4) UNEMPLOYMENT INSURANCE IMPROPER
2 PAYMENTS.—If a bill or joint resolution is reported
3 making appropriations for fiscal year 2006 that ap-
4 propriates \$10,000,000 for unemployment insurance
5 improper payments reviews for the Department of
6 Labor, and provides an additional appropriation of
7 \$40,000,000 for unemployment insurance improper
8 payments reviews for the Department of Labor, then
9 the allocation to the Senate Committee on Appro-
10 priations shall be increased by \$40,000,000 in budg-
11 et authority and outlays flowing from the budget au-
12 thority for fiscal year 2006.

13 (c) DISCRETIONARY SPENDING POINT OF ORDER IN
14 THE SENATE.—

15 (1) IN GENERAL.—Except as otherwise pro-
16 vided in this subsection, it shall not be in order in
17 the Senate to consider any bill or joint resolution (or
18 amendment, motion, or conference report on that bill
19 or joint resolution) that would cause the discre-
20 tionary spending limits in this section to be exceed-
21 ed.

22 (2) WAIVER.—This subsection may be waived
23 or suspended in the Senate only by the affirmative
24 vote of three-fifths of the Members, duly chosen and
25 sworn.

1 (3) APPEALS.—Appeals in the Senate from the
2 decisions of the Chair relating to any provision of
3 this subsection shall be limited to 1 hour, to be
4 equally divided between, and controlled by, the ap-
5 pellant and the manager of the bill or joint resolu-
6 tion, as the case may be. An affirmative vote of
7 three-fifths of the Members of the Senate, duly cho-
8 sen and sworn, shall be required to sustain an ap-
9 peal of the ruling of the Chair on a point of order
10 raised under this subsection.

11 (d) PROCEDURE FOR ADJUSTMENTS.—

12 (1) IN GENERAL.—

13 (A) CHAIRMAN.—After the reporting of a
14 bill or joint resolution, or the offering of an
15 amendment thereto or the submission of a con-
16 ference report thereon, the chairman of the
17 Committee on the Budget may make the ad-
18 justments set forth in subparagraph (B) for the
19 amount of new budget authority in that meas-
20 ure (if that measure meets the requirements set
21 forth in paragraph (2)) and the outlays flowing
22 from that budget authority.

23 (B) MATTERS TO BE ADJUSTED.—The ad-
24 justments referred to in subparagraph (A) are
25 to be made to—

1 (i) the discretionary spending limits, if
2 any, set forth in the appropriate concu-
3 rent resolution on the budget;

4 (ii) the allocations made pursuant to
5 the appropriate concurrent resolution on
6 the budget pursuant to section 302(a) of
7 the Congressional Budget Act of 1974; and
8 (iii) the budgetary aggregates as set
9 forth in the appropriate concurrent resolu-
10 tion on the budget.

11 (2) AMOUNTS OF ADJUSTMENTS.—The adjust-
12 ment referred to in paragraph (1) shall be an
13 amount provided for the fiscal year 2006 pursuant
14 to subsection (b).

15 (3) REPORTING REVISED SUBALLOCATIONS.—
16 Following any adjustment made under paragraph
17 (1), the Committee on Appropriations of the Senate
18 shall report appropriately revised suballocations
19 under section 302(b) of the Congressional Budget
20 Act of 1974 to carry out this subsection.

21 **SEC. 405. APPLICATION AND EFFECT OF CHANGES IN ALLO-**
22 **CATIONS AND AGGREGATES.**

23 (a) APPLICATION.—Any adjustments of allocations
24 and aggregates made pursuant to this resolution shall—

1 (1) apply while that measure is under consider-
2 ation;

3 (2) take effect upon the enactment of that
4 measure; and

5 (3) be published in the Congressional Record as
6 soon as practicable.

7 (b) EFFECT OF CHANGED ALLOCATIONS AND AG-
8 GREGATES.—Revised allocations and aggregates resulting
9 from these adjustments shall be considered for the pur-
10 poses of the Congressional Budget Act of 1974 as alloca-
11 tions and aggregates contained in this resolution.

12 (c) BUDGET COMMITTEE DETERMINATIONS.—For
13 purposes of this resolution—

14 (1) the levels of new budget authority, outlays,
15 direct spending, new entitlement authority, revenues,
16 deficits, and surpluses for a fiscal year or period of
17 fiscal years shall be determined on the basis of esti-
18 mates made by the appropriate Committee on the
19 Budget; and

20 (2) such chairman may make any other nec-
21 essary adjustments to such levels to carry out this
22 resolution.

1 **SEC. 406. ADJUSTMENTS TO REFLECT CHANGES IN CON-**
2 **CEPTS AND DEFINITIONS.**

3 (a) IN GENERAL.—In the Senate, upon the enact-
4 ment of a bill or joint resolution providing for a change
5 in concepts or definitions, the appropriate chairman of the
6 Committee on the Budget shall make adjustments to the
7 levels and allocations in this resolution in accordance with
8 section 251(b) of the Balanced Budget and Emergency
9 Deficit Control Act of 1985 (as in effect prior to Sep-
10 tember 30, 2002).

11 (b) PELL GRANTS.—

12 (1) BUDGET AUTHORITY.—In the Senate, if ap-
13 propriations of discretionary new budget authority
14 enacted for the Federal Pell Grant Program are in-
15 sufficient to cover the full cost of Pell Grants in the
16 upcoming award year, adjusted for any cumulative
17 funding surplus or shortfall from prior years, the
18 budget authority counted against the bill for the Pell
19 Grant Program shall be equal to the adjusted full
20 cost.

21 (2) APPLICATION.—This subsection shall apply
22 only to new Pell Grant awards approved in legisla-
23 tion for award year 2006–2007 and subsequent
24 award years and shall not apply to the cumulative
25 shortfall through award year 2005–2006.

1 (3) ESTIMATES.—The estimate of the budget
2 authority associated with the full cost of Pell Grants
3 shall be based on the maximum award and any
4 changes in eligibility requirements, using current
5 economic and technical assumptions and as deter-
6 mined pursuant to scorekeeping guidelines, if any.

7 **SEC. 407. LIMITATION ON LONG-TERM SPENDING PRO-**
8 **POSALS.**

9 (a) CONGRESSIONAL BUDGET OFFICE ANALYSIS OF
10 PROPOSALS.—The Congressional Budget Office shall, to
11 the extent practicable, prepare an estimate of the costs
12 in each of the four 10-year periods beginning in fiscal year
13 2015 through fiscal year 2055, for each bill or resolution
14 of a public character, except measures within the jurisdic-
15 tion of the Committee on Appropriations, causing a net
16 increase in direct spending in excess of \$5,000,000,000
17 in any of the four 10-year periods, and shall submit to
18 the committee the estimate of the costs of the legislation.

19 (b) IN THE SENATE.—It shall not be in order to con-
20 sider any bill, joint resolution, amendment, motion, or con-
21 ference report that would cause a net increase in direct
22 spending in excess of \$5,000,000,000 in any of the four
23 10-year periods beginning in 2015 through 2055, as meas-
24 ured against current law out-year estimates prepared by
25 the Congressional Budget Office.

1 (c) WAIVER.—This section may be waived or sus-
2 pended only by the affirmative vote of three-fifths of the
3 Members, duly chosen and sworn.

4 (d) APPEALS.—An affirmative vote of three-fifths of
5 the Members, duly chosen and sworn, shall be required
6 to sustain an appeal of the ruling of the Chair on a point
7 of order raised under this section.

8 (e) DETERMINATIONS OF BUDGET LEVELS.—For
9 purposes of this section, the levels of net direct spending
10 shall be determined on the basis of estimates provided by
11 the Committee on the Budget of the Senate.

12 (f) SUNSET.—This section shall expire on September
13 30, 2010.

14 **SEC. 408. EXERCISE OF RULEMAKING POWERS.**

15 Congress adopts the provisions of this title—

16 (1) as an exercise of the rulemaking power of
17 the Senate and the House, respectively, and as such
18 they shall be considered as part of the rules of each
19 House, or of that House to which they specifically
20 apply, and such rules shall supersede other rules
21 only to the extent that they are inconsistent there-
22 with; and

23 (2) with full recognition of the constitutional
24 right of either House to change those rules (so far
25 as they relate to that house) at any time, in the

1 same manner, and to the same extent as in the case
2 of any other rule of that House.

3 **TITLE V—SENSE OF THE SENATE**

4 **SEC. 501. SENSE OF THE SENATE REGARDING UNAUTHOR-**
5 **IZED APPROPRIATIONS.**

6 It is the sense of the Senate that Congress should—

7 (1) preclude consideration of any bill, joint res-
8 olution, motion, amendment, or conference report
9 that would provide an appropriation, in whole or in
10 part, for programs not specifically authorized by law
11 or Treaty stipulation, or the amount of which ex-
12 ceeds the amount specifically authorized by law or
13 Treaty stipulation, or that would provide a limited
14 tax benefit as defined by the Line Item Veto Act of
15 1996 (Public Law 104–130), and

16 (2) determine a method for effectively con-
17 taining the extraordinary growth in unauthorized
18 earmarks.

19 **SEC. 502. SENSE OF THE SENATE REGARDING A COMMIS-**
20 **SION TO REVIEW THE PERFORMANCE OF**
21 **PROGRAMS.**

22 It is the sense of the Senate that a commission should
23 be established to review Federal agencies, and programs
24 within such agencies, with the express purpose of pro-
25 viding Congress with recommendations, and legislation to

1 implement those recommendations, to realign or eliminate
2 Government agencies and programs that are wasteful, du-
3 plicative, inefficient, outdated, irrelevant, or have failed to
4 accomplish their intended purpose.

5 **SEC. 503. SENSE OF THE SENATE REGARDING TRICARE.**

6 It is the sense of the Senate that Congress should
7 provide sufficient funding to the Department of Defense
8 to offer members of the Reserve Component continuous
9 access to TRICARE, for a premium, regardless of their
10 activation status.

11 **SEC. 504. SENSE OF THE SENATE REGARDING RESTRAIN-**
12 **ING MEDICAID GROWTH.**

13 (a) FINDINGS.—The Senate makes the following
14 findings:

15 (1) The Medicaid program provides essential
16 health care and long-term care services to more than
17 50,000,000 low-income children, pregnant women,
18 parents, individuals with disabilities, and senior citi-
19 zens. It is a Federal guarantee that ensures the
20 most vulnerable will have access to needed medical
21 services.

22 (2) Medicaid provides critical access to long-
23 term care and other services for the elderly and indi-
24 viduals living with disabilities, and is the single larg-
25 est provider of long-term care services. Medicaid also

1 pays for personal care and other supportive services
2 that are typically not provided by private health in-
3 surance or Medicare, but are necessary to enable in-
4 dividuals with spinal cord injuries, developmental
5 disabilities, neurological degenerative diseases, seri-
6 ous and persistent mental illnesses, HIV/AIDS, and
7 other chronic conditions to remain in the commu-
8 nity, to work, and to maintain independence.

9 (3) Medicaid supplements the Medicare pro-
10 gram for more than 6,000,000 low-income elderly or
11 disabled Medicare beneficiaries, assisting them with
12 their Medicare premiums and co-insurance, wrap-
13 around benefits, and the costs of nursing home care
14 that Medicare does not cover. The Medicaid program
15 spent nearly \$40,000,000,000 on uncovered Medi-
16 care services in 2002.

17 (4) Medicaid provides health insurance for more
18 than $\frac{1}{4}$ of America's children and is the largest pur-
19 chaser of maternity care, paying for more than $\frac{1}{3}$
20 of all the births in the United States each year.
21 Medicaid also provides critical access to care for
22 children with disabilities, covering more than 70 per-
23 cent of poor children with disabilities.

24 (5) More than 16,000,000 women depend on
25 Medicaid for their health care. Women comprise the

1 majority of seniors (71 percent) on Medicaid. Half
2 of nonelderly women with permanent mental or
3 physical disabilities have health coverage through
4 Medicaid. Medicaid provides treatment for low-in-
5 come women diagnosed with breast or cervical can-
6 cer in every State.

7 (6) Medicaid is the Nation's largest source of
8 payment for mental health services, HIV/AIDS care,
9 and care for children with special needs. Much of
10 this care is either not covered by private insurance
11 or limited in scope or duration. Medicaid is also a
12 critical source of funding for health care for children
13 in foster care and for health services in schools.

14 (7) Medicaid funds help ensure access to care
15 for all Americans. Medicaid is the single largest
16 source of revenue for the Nation's safety net hos-
17 pitals, health centers, and nursing homes, and is
18 critical to the ability of these providers to adequately
19 serve all Americans.

20 (8) Medicaid serves a major role in ensuring
21 that the number of Americans without health insur-
22 ance, approximately 45,000,000 in 2003, is not sub-
23 stantially higher. The system of Federal matching
24 for State Medicaid expenditures ensures that Fed-
25 eral funds will grow as State spending increases in

1 response to unmet needs, enabling Medicaid to help
2 buffer the drop in private coverage during reces-
3 sions. More than 4,800,000 Americans lost em-
4 ployer-sponsored coverage between 2000 and 2003,
5 during which time Medicaid enrolled an additional
6 8,400,000 Americans.

7 (b) SENSE OF THE SENATE.—It is the sense of the
8 Senate that the Finance Committee shall not report a rec-
9 onciliation bill that achieves spending reductions that
10 would—

11 (1) undermine the role the Medicaid program
12 plays as a critical component of the health care sys-
13 tem of the United States;

14 (2) cap Federal Medicaid spending, or other-
15 wise shift Medicaid cost burdens to State or local
16 governments and their taxpayers and health pro-
17 viders, forcing a reduction in access to essential
18 health services for low-income elderly individuals, in-
19 dividuals with disabilities, and children and families;
20 or

21 (3) undermine the Federal guarantee of health
22 insurance coverage Medicaid provides, which would
23 threaten not only the health care safety net of the
24 United States, but the entire health care system.

1 **SEC. 505. SENSE OF THE SENATE REGARDING TRIBAL COL-**
2 **LEGES AND UNIVERSITIES.**

3 (a) FINDINGS.—The Senate finds the following:

4 (1) American Indians from over 250 federally
5 recognized tribes nationwide attend tribal college
6 and universities, a majority of whom are first-gen-
7 eration college students.

8 (2) Tribal colleges and universities are located
9 in some of the most isolated and impoverished areas
10 in the Nation and are the Nation's most poorly
11 funded institutions of higher education. While the
12 Tribally Controlled College or University Assistance
13 Act, or "Tribal College Act" provides funding based
14 solely on Indian students, the colleges have open en-
15 rollment policies providing access to postsecondary
16 education opportunities to all interested students,
17 about 20 percent of whom are non-Indian. With rare
18 exception, tribal colleges and universities do not re-
19 ceive operating funds from their respective States
20 for these non-Indian State resident students. Yet, if
21 these same students attended any other public insti-
22 tutions in their States, the State would provide basic
23 operating funds to the institution.

24 (b) SENSE OF THE SENATE.—It is the sense of the
25 Senate that—

1 (1) this resolution recognizes the funding chal-
2 lenges faced by tribal colleges, and universities and
3 assumes that equitable consideration will be provided
4 to them through funding of the Tribally Controlled
5 College or University Assistance Act, the Equity in
6 Educational Land Grant Status Act, title III of the
7 Higher Education Act of 1965, and the National
8 Science Foundation, Department of Defense, and
9 Housing and Urban Development Tribal College and
10 University Programs; and

11 (2) such equitable consideration reflects Con-
12 gress intent to continue to work toward statutory
13 Federal funding authorization goals for tribal col-
14 leges and universities.

15 **SEC. 506. SENSE OF THE SENATE REGARDING SUPPORT**
16 **FOR THE PRESIDENT'S REQUEST TO CON-**
17 **CENTRATE FEDERAL FUNDS FOR STATE AND**
18 **LOCAL HOMELAND SECURITY ASSISTANCE**
19 **PROGRAMS ON THE HIGHEST THREATS,**
20 **VULNERABILITIES, AND NEEDS.**

21 It is the sense of the Senate that Congress supports
22 the President's request to "Concentrat[e] Federal funds
23 for State and local homeland security assistance programs
24 on the highest threats, vulnerabilities, and needs."

1 **SEC. 507. SENSE OF THE SENATE REJECTING PROPOSED**
2 **ELIMINATION OF PER DIEM REIMBURSE-**
3 **MENT TO STATE NURSING HOMES IN THE**
4 **PRESIDENT'S BUDGET.**

5 It is the sense of the Senate that Congress should
6 reject the President's proposal to eliminate per diem pay-
7 ments to State Veterans Homes for the vast majority of
8 patients that reside in these homes.

9 **SEC. 508. SENSE OF THE SENATE REGARDING IMPACT AID.**

10 It is the sense of the Senate that funding for Impact
11 Aid (Title VIII of Public Law 107–110) should be suffi-
12 cient to insure that all federally connected school districts
13 are provided a payment under sections 8002 and 8003 of
14 that Act that will allow them to address the increase in
15 program costs in recent years, as this is critical for school
16 districts addressing the emotional and family needs of chil-
17 dren of military families who have a parent or parents en-
18 gaged in conflict in Iraq or Afghanistan.

19 **SEC. 509. SENSE OF THE SENATE REGARDING MANDATORY**
20 **AGRICULTURAL PROGRAMS.**

21 (a) FINDINGS.—The Senate finds the following:

22 (1) The mandatory farm programs adminis-
23 tered by United States Department of Agriculture
24 under the Food Security and Rural Development Act
25 of 2002 provide an economic safety net, ensure the
26 availability of Federal crop insurance, fund con-

1 servation priorities, and enhance agriculture export
2 market opportunities for United States farmers and
3 ranchers.

4 (2) The actual budget outlays for farm bill pro-
5 grams for fiscal years 2002–2004 have been about
6 \$16,700,000,000 less than projected by the Congres-
7 sional Budget Office in August 2002, shortly after
8 the farm bill was passed.

9 (3) Over 72 percent of farm program payments
10 are currently received by only 10 percent of our Na-
11 tion’s program crop producers.

12 (4) Any agricultural policy modifications should
13 address the disproportionate share of farm program
14 payments received by the largest farming operations.

15 (5) If commodity prices decline, as projected by
16 the Congressional Budget Office over the next sev-
17 eral years, agricultural programs will be even more
18 important to the economic future of small- and me-
19 dium-sized family farms.

20 (b) SENSE OF THE SENATE.—It is the sense of the
21 Senate that any reconciled mandatory agriculture savings
22 required under this resolution should be primarily
23 achieved through modifications to the payment limitation
24 provisions of the Food Security and Rural Investment Act
25 of 2002.